

**PUBLIC DEFENSE 101**  
**November 25-26, 2019**

**CONFERENCE SPEAKERS**

**WANDA CARTER**

Deputy Chief Appellate Defender  
South Carolina Commission on Indigent Defense

**Wanda H. Carter** graduated from Furman University (cum laude) in 1982 with a B.A. degree in political science and history (double major). She received her law degree from the University of South Carolina School of Law in 1985 and was admitted to the South Carolina Bar during that same year. Mrs. Carter serves as treasurer for the SC Public Defender Association and is a member of the SC Women Lawyers Association. Mrs. Carter began her career as a staff attorney for the SC Office of Appellate Defense and is now Deputy Chief Appellate Defender with the S.C. Commission on Indigent Defense. Mrs. Carter has nearly thirty (30) years of appellate practice experience before both the SC Court of Appeals and the SC Supreme Court.

**HARRY DEST**

Circuit Public Defender, 16<sup>th</sup> Circuit  
Chairman, Commission on Indigent Defense

**Harry A. Dest** is the longtime Chairman of the S.C. Commission on Indigent Defense and the Circuit Public Defender for the state's 16th Judicial Circuit serving York and Union Counties and has been a public defender since 1988. A native of Charlotte and a graduate of East Carolina University (1984) and Campbell University School of Law (1988), he is a member of the North Carolina and South Carolina bars and numerous professional organizations. He led the effort to reform South Carolina's indigent defense system in 2007 and continues to work toward its full implementation with the state's public defender community, legislators, the South Carolina Bar, and other professional associations while maintaining a full daily trial caseload.

**ROBERT DUDEK**

Chief Appellate Defender  
South Carolina Commission on Indigent Defense

Robert M. Dudek is the Chief Appellate Defender for the Appellate Division of the Commission on Indigent Defense. He is a graduate of the University of South Carolina College of Journalism. Dudek was a VISTA volunteer in Alaska in 1980. He also is a graduate of the University of South Carolina School of Law. He has been an Appellate Defender since 1990 serving first as an Assistant Appellate Defender, then the Deputy Chief Attorney for Capital Appeals, and now as the Chief Appellate Defender. Dudek has presented on the topic of Preserving the Record for Appellate Review at the invitation of the Chief Public Defenders for many years. He has also been a long time presenter at the

Public Defender Convention on the Case Law Update. Dudek has also presented at the Public Defender Convention on the Death Penalty and Preserving the Record for Appeal. He has also presented on various topics at the Best Practices Seminar in Charleston for several years.

**DE GRANT GIBBONS**  
Circuit Public Defender, 2<sup>nd</sup> Circuit

Mr. Gibbons is the Circuit Public Defender for the Second Circuit. He received a B.S. in Finance from Brigham Young University in 1988 and a J.D. from the University of South Carolina School of Law in 1991. He was admitted to the South Carolina Bar November 1991. Thereafter, he worked as a deputy solicitor from 1991 to 2008 in the 2<sup>nd</sup> Circuit Solicitor's Office. He was appointed to the position of Circuit Public Defender in 2008 and has retained that position since then. Mr. Gibbons is married with four children and serves as Scoutmaster of Troop 432 for the Boy Scouts of America.

**KATHRINE "KAT" H. HUDGINS**  
Appellate Defender  
South Carolina Commission on Indigent Defense

Kathrine H. Hudgins "Kat" is an Appellate Defender with the South Carolina Office of Appellate Defense in Columbia. Ms. Hudgins' legal career has focused on criminal law. She previously worked as an Assistant Solicitor in the Second Judicial Circuit, an Assistant Public Defender in the Fifth Judicial Circuit and in private practice, first working with John Delgado and later as a sole practitioner dealing almost exclusively with criminal defense at both the trial and appellate levels in both State and Federal court.

Ms. Hudgins is a member of the South Carolina Bar, serving on the editorial board for the South Carolina Lawyer Magazine. Ms. Hudgins is admitted to practice before the United States Supreme Court, the United States Court of Appeals for the Fourth and Eleventh Circuits, the United States District Court, District of South Carolina, the South Carolina Supreme Court, the South Carolina Court of Appeals. Ms. Hudgins is a member of the South Carolina Association of Criminal Defense Lawyers, serving as president in 2005 and legislative chair in 2003 and 2004. Ms. Hudgins served as a commissioner on the South Carolina Commission on Indigent Defense in 2005. She also served on the Board of the Richland County Public Defender Office. Ms. Hudgins co-teaches a trial advocacy class at the University of South Carolina School of Law.

In 1992, Ms. Hudgins earned a Juris Doctor from the University of South Carolina School of Law. During law school Ms. Hudgins was a member of the Moot Court Bar serving as the American Bar Association team manager and associate justice for the trial competition. In 1985, she received a Bachelor of Arts in Spanish from the College of Charleston where she participated in the teacher education program and the foreign study program in Madrid, Spain.

**SUSAN HACKETT**  
Appellate Defender

Susan Barber Hackett is an Appellate Defender with the Office of Appellate Defense. Previously, Ms. Hackett worked at the Office of Disciplinary Counsel. She also served as the Executive Director of the Center of Capital Litigation, a non-profit dedicated to the representation of individuals charged with capital crimes. While an associate at Blume, Webyle & Norris, LLC, she represented criminal defendants in state and federal courts. Upon graduating from law school, Ms. Hackett served as a judicial clerk to the Honorable Deadra L. Jefferson in the Ninth Judicial Circuit. Ms. Hackett also taught legal writing at the University of South Carolina School of Law as an adjunct professor for two years. Ms. Hackett is an active member of the South Carolina Bar, serving on the Professional Responsibility Committee, and the Law Related Education Committee.

**MARK LEIENDECKER**  
Circuit Public Defender, 1<sup>st</sup> Circuit

Mark A. Leiendecker is the Circuit Defender for the First Judicial Circuit. He was sworn into that position in March, 2008 and reappointed in 2012 and 2016. Before accepting the position of Circuit Defender he was in private practice concentrating on criminal defense and family law. Mark served as a Magistrate for Dorchester County from 2005 until 2008. A graduate of the University of Toledo Law School he was admitted to the Ohio Bar in 1983 and became a member of the South Carolina Bar in 1992, when he and his wife Cindy relocated to Charleston, SC. Mark and Cindy moved to Summerville, SC in 1993 where they live with their four children, ranging in age from 21 to 11. Mark is also licensed to practice in the Federal District Court for South Carolina and the United States Court of Appeals for the Fourth Circuit.

**MIKE LIFSEY**  
Circuit Public Defender, 6<sup>th</sup> Judicial Circuit

Michael H. Lifsey is a 1987 graduate of Clemson University and a 1990 graduate of the University of South Carolina School of Law. Mike began his legal career with the firm of Strickland, Short, and Keels in Chester, South Carolina. In 1994 he was appointed Chief Public Defender for Chester County. Since that time, he has served as either a public defender or a prosecutor for virtually every jurisdiction in York, Chester, and Lancaster counties. He has been an Assistant Solicitor in both the Sixth and Sixteenth Circuits, an Assistant Public Defender for York County and a prosecutor for the City of Rock Hill. He was appointed to be the first Circuit Public Defender for the Sixth Judicial Circuit on March 1, 2009 and has served in that position continually since that time. He is a former member of the Board of Directors for the South Carolina Association of Criminal Defense Lawyers and the South Carolina Public Defender Association. Mike and his wife Melissa were married in 1994 and are the parents of two children, Mary Elizabeth, age 18, and Matthew, age 13.

**ROBERT M. MADSEN**  
Circuit Public Defender, 11<sup>th</sup> Circuit

**Robert M. Madsen** has been the Eleventh Circuit Public Defender since 2008. He received his B.A. Degree in Political Science from The Ohio State University in 1992 and his J.D. From the University of South Carolina School of Law in 1996. He was admitted to the South Carolina Bar that same year. Prior to becoming the Eleventh Circuit Public Defender, Mr. Madsen worked in private practice and as a Senior Assistant Solicitor for the Eleventh and Second Judicial Circuits. He is married to Jennifer Bush Madsen of Estill and they have two children.

**JANNA NELSON GREGORY**  
Circuit Public Defender, 8<sup>th</sup> Circuit

Janna Nelson Gregory has been the Circuit Defender for the Eighth Judicial Circuit since August 2012. She graduated from the University of South Carolina School of Law in 2002 after working as a paralegal for a number of years. She was an Associate on a pharmaceutical litigation team at Nelson Mullins Riley & Scarborough from 2002-2007. She became the Deputy Public Defender for Greenwood County in 2007 and served in that position until being selected as Circuit Defender. She is Past-President of the South Carolina Public Defender Association. Janna has two adult children, and the animals in her home outnumber the people. She enjoys her never-boring job, books, and board games.

**ASHLEY PENNINGTON**  
Circuit Public Defender, 9<sup>th</sup> Circuit  
Commissioner, South Carolina Commission on Indigent Defense

Ashley was admitted to the Bar in 1980. He has practiced as a public defender in Richland County. He also was a federal public defender in Chicago in the '80's. Ashley was the Charleston County Public Defender from 1991 – 2002. He went into private practice from 2002-07, where he set up a non-profit foundation that focused on the problem of ex-offender re-entry and recidivism. Ashley was recruited as the Charleston County Public Defender again in 2007 and selected as the Ninth Circuit Public Defender in 2008. He specializes in death eligible murder cases and mental health defense cases.

Ashley has served on the SC Commission on Indigent Defense since 2009. In 2013, the Commission adopted performance standards for appointed counsel, based on national best practice standards. The Commission also obtained funding that has eliminated the involuntary appointment conscription of lawyers for indigent representation in civil and criminal conflict appointments.

**CHARLES A. PHIPPS**

Attorney at Law  
Columbia, SC

Charles A. Phipps is a solo practitioner in Columbia, South Carolina. Mr. Phipps regularly appears in the Immigration Court in Charlotte, North Carolina, on behalf of clients in removal proceedings. Mr. Phipps assists clients with petitions and applications made to the U.S. Citizenship and Immigration Service. Charles Phipps is a graduate of the George Washington University School of Law.

**CHRISTOPHER D. SCALZO, ESQ.**

Circuit Public Defender, 13<sup>th</sup> Circuit

Mr. Scalzo was appointed Circuit Public Defender for the 13<sup>th</sup> Judicial Circuit in 2018. Mr. Scalzo began as an assistant public defender in the Greenville County Public Defender Office in 2002. He became Deputy in 2008. In August of 2011, Mr. Scalzo was appointed by the S.C. Commission on Indigent Defense to act as Interim Circuit Defender for the 10<sup>th</sup> Circuit Public Defender Office, where he managed the Anderson County and the Oconee County Public Defender Offices.

Mr. Scalzo returned to the Greenville Public Defender Office as Deputy Public Defender in February of 2013. Mr. Scalzo represents indigent clients charged with crimes. He has tried cases in Circuit, Family, and Magistrate court, and has argued before the South Carolina Court of Appeals and the South Carolina Supreme Court. He has represented clients in prosecutions for a wide variety of crimes from drug offenses and property crimes, to domestic violence, sexual assaults, and murder, including capital murder.

Mr. Scalzo is past president of the South Carolina Public Defender Association. He was elected president in 2008, and has frequently represented the association's interests before the S.C. Legislature. Mr. Scalzo has also represented the association as *amicus curiae* before the S.C. Supreme Court. Mr. Scalzo is a graduate of Rutgers College and Rutgers Law School. He was admitted to the S.C. Bar in 2002. He is a member of the Bar of the United States Supreme Court as well as the Greenville County Bar. Mr. Scalzo has been certified by the S.C. Supreme Court to be Lead Counsel in Death Penalty Cases.

**BREEN STEVENS**

Assistant Public Defender, 1<sup>st</sup> Judicial Circuit

Breen attended Charleston School of Law where he excelled at legal research and writing, and he was able to put these skills to practice as a member of the Moot Court Board. He began his professional legal career clerking for Judge Pieper at the South Carolina Court of Appeals. After his clerkship, Breen worked in Charleston as an associate attorney for Andy Savage practicing criminal law. Breen then seized the opportunity to follow his passions for both criminal defense and appellate practice, and worked at the Division of Appellate Defense in Columbia. After Appellate Defense, Breen subsequently went back over to trial work with the First Circuit Public Defender's Office. In 2018 he was elected president of the South Carolina Public Defender Association.

## **ROBERT M. WILCOX**

Dean, University of South Carolina School of Law

Robert M. Wilcox has served as Dean of the University of South Carolina School of Law since July 2011. He had previously served as Associate Dean for Academic Affairs from 2006-2011. A Charleston native, he earned his undergraduate degree from Duke University and his law degree from University of South Carolina in 1981. He practiced at Dow, Lohnes & Albertson in D.C. and Atlanta before joining the USC Law School faculty in 1986. Currently, his primary area of teaching and research is in the field of professional responsibility. He is a former editor of the *ABA Real Property, Probate & Trust Journal*. From 2003-08, he served as Director of the Center on Professionalism at the School of Law, which is a national leader in lawyer mentoring initiatives. He is the editor of *South Carolina Rules of Professional Conduct* (with Nathan Crystal) and has written numerous articles pertaining to legal ethics and professional responsibility.

Dean Wilcox serves on the ABA Task Force on the Financing of Legal Education, the South Carolina Chief Justice's Commission on the Profession, and the South Carolina Judicial Merit Selection Commission. He is a frequent presenter at continuing legal education seminars.

## **HERVERY YOUNG**

Deputy Director/General Counsel  
SC Commission on Indigent Defense

Hervery Young received his Bachelor's degree from Johnson C. Smith University in English and Mathematics and his Juris Doctorate degree from the University of South Carolina School of Law. After one year in private practice, Hervery has worked continuously as a Public Defender on the state and federal levels. He currently works for the SC Commission on Indigent Defense as the Deputy Director/General Counsel.

Over the course of his legal career, Hervery has tried numerous cases on the state and federal level including death penalty cases. He has written and lectured on a variety of topics within the Criminal Defense area, including Ethics, Discovery, and Technology. Hervery developed a course called CPR for Criminal Attorneys and Judges - a trial advocacy program designed to refresh and resuscitate those practicing in the criminal arena to avoid burnout. He has been a radio guest for a number of stations sharing need to know information about protecting your rights when arrested.

He is admitted to practice before all courts in South Carolina, the District Court of South Carolina, the 4<sup>th</sup> Circuit Court of Appeals, the District Court for the Middle District of Pennsylvania, and the 3<sup>rd</sup> Circuit Court of Appeals.